

Policy – K.S.A 48-3406 Application for Licensure

Policy Number: 003-21

Approved by the Board: August 09, 2021

Last Updated:

I. Purpose

- a. The purpose of this policy is to provide guidelines for the Board to process applications for licensure pursuant to K.S.A. 48-3406.

II. Authority

- a. Notwithstanding any other provision of law, the Kansas Board of Cosmetology shall, upon submission of a complete application, issue a license to an applicant as provided by this section, so that the applicant may lawfully practice the person's occupation. Any person who is a resident of Kansas or intends to be one and is coming from a state that does not provide licensure does not qualify for licensure by reciprocity under the body art or cosmetology act may make application for licensure under K.S.A. 48-3406. K.S.A. 48-3406(b).
- b. Qualifying applicants must be issued licensure within 15 days from the date a complete application was submitted if the applicant is a military servicemember or military spouse or within 45 days from the date of complete application was submitted for all other applicants. K.S.A. 48-3406(c).
- c. If an applicant doesn't qualify for or the Kansas Board of Cosmetology does not provide reciprocity for applicants, the Kansas Board of Cosmetology shall issue the license on a probationary basis if the applicant has: a valid, current license, registration, or certification for a similar scope of practice, at least one-year work experience, no disqualifying criminal record and has not had disciplinary action taken against their license or committed an act in another jurisdiction that would have constituted grounds for limitation, suspension, or revocation of the license. K.S.A. 48-3406(c)(2).
- d. If applicant hasn't been in active practice during the two years preceding application, s/he may have to complete additional testing, training, monitoring, or continuing education. K.S.A. 48-3406(d).
- e. If applicant is practicing in a state that does not issue licensure for their occupation "the Kansas Board of Cosmetology may issue the license on a probationary basis a license to the applicant if they have worked in the occupation for three out of the four years immediately preceding their application. K.S.A. 48-3406(e).
- f. If applicant is practicing in a state that does not issue licensure for their occupation the Kansas Board of Cosmetology may issue the license on a probationary basis a license to the applicant if they have a current, valid private certification and is in good standing with the certifying organization and they have worked in the occupation for at least two years. The two years is not required to have been immediately preceding application. K.S.A. 48-3406(f).
- g. If scope of practice is not similar for a military service member or spouse applicant, the Kansas Board of Cosmetology shall issue a temporary permit to allow the

applicant to complete any specific requirements of this state that were not required in the prior jurisdiction unless the Kansas Board of Cosmetology finds that issuing a temporary permit would jeopardize the health and safety of the public. K.S.A. 48-3406(h).

- h. If scope of practice is not similar for a non-military service member or spouse applicant, the Kansas Board of Cosmetology may issue a temporary permit to allow the applicant to complete any specific requirements of this state that were not required in the prior jurisdiction unless the Kansas Board of Cosmetology finds that issuing a temporary permit would jeopardize the health and safety of the public. K.S.A. 48-3406(i).
- i. The Kansas Board of Cosmetology may deny any application for license and permit under K.S.A 48-3406 if the Board determines that granting such license or permit, would jeopardize the health and safety of the public. K.S.A. 48-3406(l).
- j. Additional training or testing required pursuant to K.S.A. 48-3406 (d), (h), or (i) must be limited to those in Kansas requirements that are materially different or additional to the law of another state or to any materially different or additional body of knowledge or skill required to obtain a Kansas license. K.S.A. 48-3406(j).
- k. The Kansas Board of Cosmetology may grant licensure to someone who was separated from the military under less than honorable conditions or with a generable discharge under honorable conditions. K.S.A. 48-3406(k).
- l. All proceedings pursuant to this section shall be conducted in accordance with the provisions of the Kansas administrative procedure act (KAPA) and shall be reviewable in accordance with the Kansas judicial review act (KJRA). K.S.A. 48-3406(t).
- m. The Kansas Board of Cosmetology may deny a license if the Agency determines that granting it may jeopardize the health and safety of the public. K.S.A. 48-3406(l).
- n. Kansas Board of Cosmetology shall provide a report for the period of July 1 through June 30 to the director of legislative research by August 31 of each year, providing information requested by the director of legislative research to fulfill the requirements of this subsection. The information shall include, detailed by applicant type, including military servicemember, military spouse and non-military individual: (1) The number of applications received under the provisions of this section;(2) the number of applications granted under this section; (3) the number of applications denied under this section; (4) the average time between receipt of the application and completion of the application; (5) the average time between receipt of a complete application and issuance of a license, certification or registration; and (6) identification of applications submitted under this section where the issuance of credentials or another determination by the licensing body was not made within the time limitations pursuant to this section and the reasons for the failure to meet such time limitations. All information shall be provided by the licensing body to the director of legislative research in a manner that maintains the confidentiality of all applicants and in aggregate form that does not permit identification of individual applicants. K.S.A. 48-3406(u).

III. Policy and Procedures

- a. All determinations and processing for licensure under this act will be done in

accordance with the provisions of the KAPA and the KJRA.

- b. All applicants for licensure under K.S.A. 48-3406 must complete the board approved application and pay the required fee.
- c. Licensure shall be issued to qualifying individuals within 15 days of completed application, if a military member or spouse and within 45 days for all other applicants.
- d. The Board shall delegate the HB 2066 subcommittee to review applicants for licensure under K.S.A. 48-3406.
- e. Board staff shall provide the HB 2066 subcommittee with applications for review, approval or denial in which the applicant:
 - i. Is a military service member or spouse discharged for less than honorable conditions.
 - ii. Is an applicant whose licensure does not have a similar scope of practice and could be issued a temporary permit until all requirements are met.
 - iii. Is an applicant providing a private certification.
- f. Board staff shall issue licensure to those that qualify for reciprocity under K.S.A 48-3406. To qualifying applicants other than those described in section II c.
- g. If the HB 2066 subcommittee approves the application, the applicant shall be issued a temporary permit or a license.
- h. If the HB 2066 subcommittee or Board staff deny an application pursuant to K.S.A. 48-3406, a summary proceeding order denying the licensure or permit will be issued.
- i. Board staff will provide all persons licensed under this act with a law book resources list and a self-test over KS laws and regulations pertaining to their occupation.


Laura Gloeckner
Executive Director Kansas
Board of Cosmetology